

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 08-07-29**

Date Published: July 24, 2008  
For Work Week Commencing: July 28, 2008  
Commission Meeting: July 29, 2008, 9:00 a.m.

*General Introduction* This agenda is the Commission's Utility Division agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

*Place of Meetings* All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

*Live webcast* Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

*Inquiries* General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

*Accommodation for Persons with Disabilities* Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

**9:00 a.m. Weekly Scheduling** (Commission Conference Room – No Web Audio Feed)

**9:30 a.m. Business** (Bollinger Room)

**Public Comments**

**Action Items** All items identified below are for action at the Commission business meeting.

1. CenturyTel N2008.7.78 Scott)

On July 14, 2008, CenturyTel filed advice 08-04. The purpose of this filing is to introduce a new service called Prepaid Local Telephone Service (PLTS). This service was originally filed on June 24, 2008, and subsequently withdrawn. CenturyTel requests an effective date of August 13, 2008.

Probable Motion: Approve CenturyTel's Advice 08-04 in docket N2008.7.78.

2. Qwest Corporation N2008.7.77 Gary)

On July 14, 2008 Qwest Corporation (Qwest) filed for Commission approval a Multi-State Agreement (MSA) between Qwest and Border States Industries, Inc. (BSI). Qwest is filing the MSA with the Commission for approval pursuant to the Commission's April 16, 2004 Notice of Commission Action (NCA) in Docket N2003.10.149. The MSA is the result of negotiations for a regional contract between Qwest and BSI for ISDN PRS service. The services purchased by BSI are available from other competitive carriers in addition to Qwest. Probable Motion: Move to approve the MSA between Qwest Corporation and Border States Industries, Inc. in Docket No. N2008.7.77.

3. Qwest Services Corporation N2008.7.76 (Gary)

On July 11, 2008 Qwest Service Corporation (Qwest) filed a Petition for Waiver of Months to Exhaust/Utilization Threshold requirements set forth in the FCC's Number Resource Optimization Order, FCC 00-429 and FCC 01-362. A waiver of the FCC's requirements would allow Neustar, Montana's Pooling Administrator, to provide numbering resource to Qwest that have been requested in order for Qwest to satisfy a specific customer request from Blue Cross Blue Shield in Helena. The FCC allows for such a waiver of rules when there is a specific customer request. The waiver process ("safety valve process") is addressed in FCC 01-362, paras 57-66, which delegate waiver authority to state commissions. Probable Motion: Move to approve the Qwest Waiver Request in Docket No. N2008.7.76 and direct Neustar to allocate the requested number blocks to Qwest for use by Blue Cross Blue Shield.

**Work Sessions** All items identified below are for Commission discussion or action on the day designated.

1. D2008.5.43 – Qwest Corporation and Access Point, Inc. – Interconnection Agreement – Discuss and act on the agreement. (7/29/08)
2. N2008.7.83 - NorthWestern Energy – Medical Emergency Rule Application – Request Commission intervention in establishment of a customer payment arrangement. (7/29/08)
3. N2008.7.81 – NorthWestern Energy – Medical Emergency Rule Application – Request Commission intervention in establishment of a customer payment arrangement. (7/29/08)
4. D2008.5.44 – NorthWestern Energy – NWE Annual Application of Unreflected Gas Cost Account Balance, Projected Gas Cost and Gas Transportation Adjustment – Review and Act on Request for interim approval (7/29/08)
5. D2008.6.69 – NorthWestern Corporation – Application by NorthWestern Corporation for Approval of its Interest in Colstrip Unit 4 as Electricity Supply Resource under Certain Terms and Conditions Including Certain Treatment of the Net Operating Losses – Consider and act on NorthWesterns motions for protective orders regarding (1) Board Materials, Presentations, and Meeting Minutes; (2) Confidential & Proprietary Information contained in Data Room; and (3) Coal Cost Information and Related Invoices. Consider and act on MCC's motion for reconsideration of the Procedural Order. (7/29/08)
6. D2008.4.36 – NorthWestern Corporation - Investigation of NorthWestern Corporation's Compliance with Order 6505e – Consider and act on July 14, 2008 MCC Motion for an Order Compelling Production and Related Relief. (7/29/08)
7. D2007.5.46 & D2006.5.66 – NorthWestern Energy – NWE's Application for Approval of Electric Supply Deferred Cost Account Balance and Projected Electric Power Supply Cost – Discuss and act on NWE Motion for Reconsideration of Order No. 6836c. (7/29/08)
8. D2007.9.107 – Montana-Dakota Utilities – Waiver of Section 2a of its Rate 88 Tariff – Request of continuation of waiver of Section 2a of its Rate 88

Tariff that specifies that gas tracking adjustments be implemented on a bills Rendered basis. MDU requests to continue service rendered through August and September 2008. (7/29/08)

9. D2006.1.2 – Montana-Dakota Utilities – AARP Complaint Against MDU Involving Gas and Electric USB Charges – Review and discuss the Stipulation signed by all the parties involved in the MDU USB docket. (7/29/08)
10. D2007.8.96 – Cut Bank Gas – Application for Approval of True-Up of Gas Cost Tracking Adjustment – Review and discuss the request by Cut Bank Gas for reconsideration of the procedural order and to unsuspended the Procedural order if necessary. (7/29/08)
11. Organization of MISO States (OMS) Comments to the Federal Energy Regulatory Commission (FERC) – Discuss OMS comments to FERC on the Midwest ISO's compliance filing regarding Resource Adequacy financial settlement provisions. (7/29/08)
12. Travel Request – Approval for Brian DeKiep to attend the Midwest Demand Response Initiative demonstration of SmartGrid Technologies on Friday, September 5, 2008 in Chicago, IL. (7/29/08)
13. 2009 Session Legislation to Deregulate Intrastate Passenger Transportation – Discuss and give direction. (7/29/08)
14. PSC Request for an AG Opinion Regarding 13-37-402, MCA – Discuss draft request to AG. (7/29/08)
15. **7/30/08 1:30 P.M.** – D2007.8.96 – Cut Bank Gas – Application for Approval of True-Up of Gas Tracking Adjustment – Depose and provide an opportunity for Commissioner Questioning of Cut Bank Gas consultant, Ron Woods to be used in lieu of his testimony at the hearing if he is unable to attend. (7/30/08)

### **Other Meetings**

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

**Notice Items** All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Citizens Telecommunications N2008.7.82 (Scott)

On July 22, 2008, Citizens Telecommunications filed Advice Letter No. MT-08-05, Allowance for Interruptions. The purpose of this filing is to modify the general regulation for allowance for interruptions to comply with Commission rules. The Company request an effective date of August 21, 2008.

**Protective Orders – Notice Items** The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

**Protective Orders – Information Items** The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

1. NorthWestern Corporation D2008.6.69 (AI)

On July 18, 2008, the Commission issued Order 6925a granting NorthWestern Corporation's (NorthWestern) motion for a protective order for NorthWestern's federal and state income tax returns that may be requested in this docket.

2. NorthWestern Energy D2008.6.62 (AI)

On July 18, 2008, the Commission issued Order 6927 granting NorthWestern Energy's motion for a protective order for details of monthly coal costs and supporting invoices, including commodity cost, transportation, royalty, and adjustments for April 2007 through March 2008 expected to be filed in this docket.

3. NorthWestern Energy D2007.7.82 (AI)

On July 18, 2008, the Commission issued Order 6852h granting NorthWestern Energy's motion for a protective order for forecast financial data for the years 2008 through 2012 that is contained in a document entitled "MT Regulated Gas, 5-Year Business Plan – 2008-2012 that has been requested by a data request this docket.

**Information Items** All items identified below are for information only.

**New Filings Received in Past Week**

D2008.7.79 – Project Telephone Company, Inc. and Sagebrush Cellular, Inc. – Application for Approval of Wireless Interconnection and Reciprocal Compensation Agreement

D2008.7.80 – Nemont Telephone Cooperative, Inc. and Sagebrush Cellular, Inc. – Application for Approval of Wireless Interconnection and Reciprocal Compensation Agreement

N2008.7.81 – NorthWestern Energy – Request for Commission Intervention to Establish a Customer's Payment Arrangement

N2008.7.82 – Citizens Telecommunications Company of Montana d/b/a Frontier Communications of Montana – Advice Letter No. MT-08-05 – Allowance for Interruptions

N2008.7.83 – NorthWestern Energy – Request for commission Intervention to Establish a Customer's Payment Arrangement

D2008.7.84 – MDU Resources Group, Inc. – Application for Authority to issue  
Up to \$333,000,000 of Short-Term Debt Securities

D2008.7.85 – Wettington Water District, Inc. – Application for Approval of Rate  
Increase for Water Service